

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended is respectfully requested.

This Amendment REPLACES the Amendment filed September 2, 2005, which contained claim amendments that were not agreed to by the Applicants.

Claims 1-22 are pending Claims 11-22 have been withdrawn from consideration, and Claims 5-10 were indicated as being allowed. Applicants appreciatively acknowledge the identification of allowable subject matter.

In the outstanding Office Action Claims 1-4 were rejected under 35 U.S.C. § 112, second paragraph; In reply, Claim 1 has been amended. Support for amended Claim 1 is found at least at page 4, lines 5-26, page 5, line 21 to page 8, line 10 and page 13, line 24 to page 17, line 4 in the present specification, and therefore no new matter is added.

It is believed that amended Claim 1 complies with 35 U.S.C. § 112, second paragraph. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned so that mutually agreeable claim language may be identified.

The present invention is directed to improve conventional metropolitan system-optical fibers. As described at page 4, lines 16-26, "optical fibers are generally formed into a cable and laid in underground conduits. In the case of a conventional metropolitan system (curve 131 in Figure 13, not curve 134 in Figure 3, which is proposed as a new type of metropolitan fiber), conduits are tangled in a complicated manner and it is difficult to lay the optical cables in long lengths. For this reason, an average length of a cable piece is about 1 km. On the other hand, optical fibers are shipped in piece length of 25 to 50 km ...., and therefore uniformity is the longitudinal direction of the transmission characteristics of an optical fiber

is an important factor to secure the quality of the cable (within about 1 km-length span for the metropolitan system-optical fiber)”.

As discussed at page 6, lines 15-19 in the specification, however, the “conventional (metropolitan system) optical fiber could guarantee transmission loss in a short length (e.g., 1 km) of optical fiber at a wavelength of 1310 nm or 1550 nm, it could not necessarily guarantee transmission loss in a short length (e.g., 1 km) of optical fiber of at a wavelength of 1383 nm”.

As described at page 5, lines 11-16 in the specification, the present invention has been implemented taking into account the uniformity of transmission loss for longitudinal direction (i.e., longitudinal uniformity) in 1383 nm of a short fiber of approximately 1 km long and mainly compatible with existing optical fibers as a metropolitan optical fiber.

That is, while optical fiber products in a length longer than 25 km, the uniformity in a short length (any 1 km section) must be ensured for 1383 nm in addition to 1310 nm and 1550 nm when it is applied to the metropolitan system. In a conventional optical fiber (e.g., the length of 25.2 km), while the average loss at 1383 nm over the whole length of 25.2 km was guaranteed, the loss at 1383 nm over any 1 km section was not guaranteed.

The gist of the present invention is to provide a new piece of metropolitan system-fiber in which the loss at 1383 nm in any 1 km is guaranteed.

In the above-aspect of the present invention, amended Claim 1 defines a piece of optical fiber having a length of 25 km or more and characteristics of the metropolitan system-optical fiber in the preamble of and defines a new feature in the characterizing clause.

The outstanding Office Action notes “Claims 1-4 describe the optical fiber in terms of its resultant behavior and fail to recite limitations which are specific enough for a person of ordinary skill in the art to identify the metes and bounds of the optical fiber which would be encompassed by an issued patent”. Amended Claim 1, however, defines a piece of optical

fiber which has limitations, including a new feature as recited in the characterizing clause, which identify the metes and bounds of the piece of optical fiber.

In view of the indication of allowable subject matter, and amendments to Claim 1, it is respectfully submitted that the invention defined by Claims 1-22, as amended, is definite. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

I:\ATTY\BDL\239434US-8\239434US-AM.DOC